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03 UNITED STATES DISTRICT COURT  
04 WESTERN DISTRICT OF WASHINGTON  
05 AT SEATTLE

06 MONIQUE M. PHILLIPS,

07 Plaintiff,

08 v.

09 MICHAEL J. ASTRUE,  
10 Commissioner of Social Security,

11 Defendant.

)  
) CASE NO. C11-0503-JCC-MAT  
)  
)

) ORDER DENYING MOTION FOR  
) SUMMARY JUDGMENT  
)  
)  
)

12 The Court has reviewed the entire record, including the Administrative Record, the  
13 memoranda of the parties, and the Report and Recommendation of United States Magistrate  
14 Judge Mary Alice Theiler. It is therefore ORDERED:

15 (1) The Court adopts the Report and Recommendation (Dkt. No. 16);

16 (2) The defendant's construed motion for summary judgment (Dkt. No. 9) is

17 DENIED. This matter shall proceed to a ruling on the merits; and

18 (3) The Clerk shall direct copies of this Order to all counsel and to Judge Theiler.

19 DATED this 23rd day of December 2011.

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22 JOHN C. COUGHENOUR  
United States District Judge